

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|----------------------------|---|--------------|
| CHARLES DAGIT and MARYKATE | : | |
| DAGIT | : | |
| | : | CIVIL ACTION |
| v. | : | |
| | : | NO. 16-3843 |
| ALLSTATE PROPERTY AND | : | |
| CASUALTY INSURANCE COMPANY | : | |

ORDER

AND NOW, this 30th day of January, 2017, upon consideration of defendants' motion to dismiss, Dkt. No. 11, plaintiff's response, Dkt. No. 12, and defendants' reply brief, Dkt No. 13, it is hereby ORDERED that the Motion is GRANTED and DENIED IN PART as follows:

1. As to count I of the amended complaint alleging breach of contract, the motion is GRANTED and this claim is dismissed.
2. As to count II of the amended complaint alleging bad faith, the motion is DENIED.

/s Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.